

United States Senate

WASHINGTON, DC 20510

March 18, 2020

Mr. Andrew M. Saul
Commissioner
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21207

Dear Commissioner Saul:

We are writing to ask you to temporarily suspend all Continuing Disability Reviews (CDRs) under the Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) programs. Such a suspension would prioritize the health and safety of SSDI and SSI beneficiaries, as well as Social Security Administration employees. It is also consistent with the social distancing protocols recommended by the Centers for Disease Control and Prevention, as our nation grapples with COVID-19. These protocols are most important for the people with disabilities and serious, chronic health conditions who make up the SSDI/SSI beneficiary population.

When a SSDI or SSI beneficiary receives a CDR letter, it can require multiple visits to various doctors' offices as the beneficiary makes an effort to comply with the CDR in order to keep their benefits. The CDR can even require consultative examinations (interviews with doctors who consult for SSA), which compel the beneficiary to travel to and from and spend time in medical facilities. These visits unnecessarily prompt beneficiaries -- many of whom are at higher risk for COVID-19-associated morbidity and mortality-- to enter environments where they are more likely to be exposed to COVID-19, putting their health at serious risk. The visits also further burden an already-strained medical system that should be focused on responding to the threat of COVID-19 and not time-intensive paperwork from the Social Security Administration.

In his testimony before the House Oversight Committee on March 11, Dr. Anthony Fauci, the Director of the National Institute of Allergy and Infectious Diseases, underscored the importance of "social distancing" as a means of containing the spread of COVID-19. We are concerned that prompting -- in some cases compelling -- beneficiaries to enter medical facilities to comply with a CDR violates this basic and effective protocol that can help contain the virus, while putting the very people most in need of social distancing at needless risk. While we understand the CDR's role in SSA's program integrity work, we believe it is far more important, in the context of what the World Health Organization now calls a pandemic, to prioritize public health at this critical moment. Further, to the extent that continuing the processing of CDRs will needlessly increase contact between SSA and state Disability Determination Service (DDS) employees and SSDI/SSI beneficiaries, failing to suspend CDRs will needlessly jeopardize the health and safety of all parties, while diverting agency resources away from a higher-priority workload associated with coronavirus response.

COVID-19 poses a nearly unprecedented threat to the public health of our nation. We must take appropriate measures to mitigate risk where possible and contain the threat. Therefore, we urge you to use your authority to suspend CDRs under the SSDI and SSI programs until the threat of COVID-19 has passed.

Sincerely,

Sherrod Brown
United States Senator

Robert P. Casey, Jr.
United States Senator